

Libertarian Party of Washington State

Judicial Committee Decision

Date: 20 May 2024

Subject: Interpretation of LPWA Bylaws Regarding Delegate and Alternate Selection for National Convention

Petitioner: Trevor Best, LPWA Delegation Chair

Background:

Trevor Best, the LPWA Delegation Chair, has petitioned the Judicial Committee to rule on the interpretation of the LPWA Bylaws concerning the selection of delegates and alternates for the national convention. The petition arises to resolve any potential questions from the Libertarian National Committee's Credentialing Committee about the eligibility and selection process for adding delegates and alternates to the LPWA delegation after the LPWA State Convention.

Authority and Purpose:

The Judicial Committee of the Libertarian Party of Washington State is vested with the authority to interpret the controlling documents of the LPWA as per Article VIII, Section C1 of the LPWA Bylaws. According to Robert's Rules of Order Newly Revised (RONR) 56:68, each organization determines the meaning of its bylaws when ambiguity exists. This decision aims to clarify these ambiguities and provide guidance to the National Credentialing Committee regarding our interpretation of the LPWA Bylaws.

Points of Ambiguity and Interpretation:

1. Authority to Interpret LPWA Bylaws:

The LPWA Judicial Committee has the authority to interpret the LPWA Bylaws. The National Bylaws (Article 5, Section 4) affirm the autonomy of affiliate parties except where explicitly abridged by the National Bylaws.

2. Interpretation of Article XI, Section D:

A. 60-Day Membership Requirement:

The 60-day sustaining membership requirement applies only to those seeking delegate positions at the LPWA State Convention. This requirement does not extend to delegates or alternates added after the state convention.

B. Timing for Filling Unfilled Seats:

Unfilled delegate seats may be filled starting at any time on the day any official activities for the National Convention begin, provided a delegate is present at the convention location. This interpretation aligns with the broader activities surrounding the National Convention, not solely the formal start of the business session.

C. Membership Requirements for Delegates and Alternates:

Individuals joining the delegation must meet the membership requirements outlined in Article IV, Sections 1 and 2 of the LPWA Bylaws. Out-of-state residents are exempt from the Washington residency requirement for the purpose of becoming delegates.

D. Order of Elections:

Section D4 pertains to the order of elections at the LPWA State Convention, indicating that alternate delegates may be elected after the election of delegates at the state convention.

Detailed Interpretations:

Point 1: 60-Day Membership Requirement

The proximity of sentences in Section D1 does not require that the 60-day requirement apply to all delegates, including those added after the convention. The requirement is specifically for delegates elected at the LPWA State Convention. The rejection of amendments at the 2021 LPWA State Convention clearly applying this requirement to out-of-state delegates further supports this interpretation.

Point 2: Timing for Filling Unfilled Seats

The phrase "at the national convention" refers to any time on or after the day of the first scheduled activities at the convention venue. It does not restrict the timing to after the convention is called to order or during formal business sessions. This interpretation is consistent with LPWA's custom and intent.

Point 3: Membership Requirements

The "all other requirements" clause in Section D1 refers to the general membership requirements (excluding residency) outlined in Article IV, Sections 1 and 2. This includes paying dues and endorsing the Non-Aggression Principle and Statement of Principles. This interpretation is consistent with LPWA's custom and intent.

Point 4: Order of Elections

Section D4 specifies the order of elections at the LPWA State Convention, not the timing for electing alternates outside the convention. Therefore, alternates cannot be elected at any time after the delegate elections.

Rulings on Specific Questions:

1. Validity of the Delegation Amendment Method:

The current method used by the LPWA Delegation to amend the delegation is not valid according to the LPWA Bylaws based on Point 4 above. The valid process for seating delegates includes:

- o A meeting held anytime on or after the day of the first scheduled activities at the National Convention location.
- o Prioritizing Washington residents for delegation positions.
- o Ensuring all requirements in Article IV, Sections 1 and 2 are met (except residency).
- o Conducting a 3/5ths vote of the entire delegation (digital and absentee voting are permitted).
- o Informing the National Party and Credentials Committee promptly.

2. 60-Day Membership Requirement for Post-Convention Delegates/Alternates:

The 60-day state party sustaining membership requirement does not apply to delegates or alternates added after the close of the LPWA state convention. This requirement is specific to those selected at the state convention.

3. Meaning of "Unfilled seats may be filled at the national convention":

This phrase refers to any time on or after the day of the first scheduled activities at the National Convention location. It includes all activities surrounding the convention, not just the formal business sessions.

Conclusion:

The LPWA Judicial Committee's interpretations aim to clarify ambiguities in the LPWA Bylaws and ensure compliance with both state and national party rules. We hope this decision aids the National Credentialing Committee in their review process.

In Liberty,

LPWA Judicial Committee